

PRIORITY SEND

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. EDCV 08-1203-VAP (OPx)

Date: September 29, 2008

Title: FEDERAL HOME LOAN MORTGAGE CORPORATION, its successors and/or assigns -v- CARMEN CHAVEZ, and DOES 1 through X, inclusive

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFFS:

None

ATTORNEYS PRESENT FOR
DEFENDANTS:

None

PROCEEDINGS: ORDER TO SHOW CAUSE FOR LACK OF SUBJECT
MATTER JURISDICTION (IN CHAMBERS)

Defendant removed this case to this Court on September 5, 2008. Removal is inappropriate when the district court would not have original jurisdiction over the case. See 28 U.S.C. § 1441(a). A case shall be remanded when the court lacks subject matter jurisdiction. See 28 U.S.C. § 1447(c).

Defendant's Notice of Removal fails to state any valid ground for jurisdiction in the United States District Court; nor is any basis for jurisdiction apparent on the face of the pleadings. Defendant has alleged federal question jurisdiction on the basis of Defendant's discovery requests but this is not a proper source of federal question jurisdiction. Likewise, Defendant has inadequately invoked diversity jurisdiction because Defendant has not identified the citizenship of both parties. Accordingly, the Court issues an Order to Show Cause why this case should not be remanded to

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Initials of Deputy Clerk ____ md ____

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DOES 1 through X, inclusive
MINUTE ORDER of September 29, 2008

the California Superior Court for the County of Riverside. Defendant must respond in writing by October 14, 2008. Failure to respond will result in a remand of the action to the California Superior Court.

IT IS SO ORDERED.